UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE			
DAVID A. LEDFORD,	)		
Plaintiff,	)		
V.	) ) )	CIV. NO. 3:08-CV-272 (PHILLIPS/SHIRLEY)	
MICHAEL J. ASTRUE,	)		
Commissioner of Social Security,	)		
Defendant.	)		
ORDER OF REMAND UNDER SENTENCE FOUR			

Pursuant to the power of this Court to enter a judgment affirming, modifying or reversing the Commissioner's decision with remand in Social Security actions under **sentence four** of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of the parties' motion to remand this action, this Court now, upon substantive review, hereby enters a judgment under sentence four of 42 U.S.C. § 405(g) reversing the Commissioner's decision with a remand of the cause to the Commissioner according to the following terms. See Shalala v. Schaefer, 509 U.S. 292, 296, 113 S. Ct. 2625, 2629 (1993); Melkonyan v. Sullivan, 501 U.S. 89, 97-98, 111 S. Ct. 2157, 2163 (1991).

OF 42 U.S.C. § 405(g)

On remand, the Administrative Law Judge (ALJ) will further evaluate the severity of Plaintiff's respiratory impairment, including specific consideration of Listing 3.02A and the necessity for supplemental oxygen. The ALJ will conduct a supplemental hearing at which evidence from a medical expert and supplemental evidence from a vocational expert will be obtained. Plaintiff will also be given the opportunity to testify and offer additional evidence. The ALJ will then issue a new decision.

The Clerk of the Court will enter a separate judgment pursuant to Rule 58 of the Federa
Rules of Civil Procedure.
Mornas Ar Phillips  U. S. District Judge
Proposed by:
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